

Report Date: October 27, 2016

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 27, 2016**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Harold Buck Emick

Case Number: 0980 2:07CR00157-RMP-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: July 2, 2008

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924; Possession with the Intent to Distribute 50 Grams or More of a Mixture or Substance Containing Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii);

Original Sentence: Prison - 94 months; Type of Supervision: Supervised Release
TSR - 48 months

Revocation
Sentence: Prison - 3 months;
TSR - 45 months

Asst. U.S. Attorney: U.S. Attorneys Office

Date Supervision Commenced: March 3, 2016

Defense Attorney: Federal Public Defender

Date Supervision Expires: December 2, 2019

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/20/2016.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	<u>Mandatory Condition # 4:</u> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.
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Supporting Evidence: On October 26, 2016, numerous phone contacts, as well as text messages, were exchanged between the undersigned officer and Mr. Harold Emick. Mr. Emick initially indicated that he had been informed that the undersigned was attempting to locate him. As a part of the conversation, the client was asked about any new illicit drug use since his in-office visit that had occurred at U.S. Probation on October 19, 2016, to which the client indicated that he had again "used" methamphetamine with his last use being on Tuesday, October 25, 2016, as he was attempting to step down off of the drug as opposed to completely quitting all at once.

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Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On both Saturday, October 22, 2016, and again on Monday, October 24, 2016, the undersigned officer left voice mails on the client's cell phone directing him to contact the undersigned officer as soon as possible, and on October 24, 2016, a voice mail was left directing him to report to the U.S. Probation Office in Spokane.

On October 26, 2016, the undersigned officer was contacted by Mr. Emick, who indicated that he had been informed that I was attempting to locate him. As a part of the conversation, the client was directed to report to U.S. Probation on that day to which the client committed to doing. The client then attempted on numerous occasions throughout the day both via voice mail and text messaging to persuade the undersigned officer to allow him to report the following day. The client was again directed via text messaging to report on the day in question, as previously directed. At approximately 5:10 p.m., the undersigned officer received a voice mail and a text message from the client who indicated that he had reported at 5 p.m., but that the building staff would not allow him access to the building.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 27, 2016

s/ Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.



Signature of Judicial Officer

10/27/2016

Date